



## Department of Environmental Protection

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### **Solid Waste Advisory Committee (SWAC) Meeting Summary**

January 23, 2014 1:00 PM to 3:00 PM  
MassDEP, One Winter Street, Boston, MA

#### **Introductions and MassDEP Updates**

John Fischer of MassDEP provided several updates:

- The Environmental Business Council is coordinating the [Eighth Annual EBC Construction and Demolition Materials Regional Summit](#). The summit will be Thursday, January 30, 2014, from 7:30 am to noon at the Sheraton Hotel in Framingham. A draft agenda will be circulated via the SWAC email list.
- The Commercial Organics Ban has been promulgated and will be published in the Massachusetts Register on January 31, 2014. The effective date for businesses and institutions to comply with the ban is October 1, 2014. This date was pushed back from the proposed date of July 1, 2014 to give solid waste facilities time to prepare modified waste ban compliance plans.
  - On January 31, 2014, a press release will be issued to announce the organics ban. An additional announcement will be distributed through the SWAC list.
  - MassDEP will conduct numerous training sessions and meetings on the new regulations and guidance.
  - There will be more meetings with the Organics Subcommittee. If you're interested in joining the committee or meetings, please notify [John Fischer](#).
- RecyclingWorks in Massachusetts' website has been updated to include information on how to comply with the organics ban for [businesses](#) and local [health departments](#).
  - RecyclingWorks in Massachusetts will be adding additional resources and guidance to the web page over time, so check back soon at [www.recyclingworksma.com](http://www.recyclingworksma.com).
- The next SWAC meeting will be April 24, 2014.

#### **Upcoming Proposed Fee Revisions – Paul Emond, MassDEP**

Paul Emond of MassDEP discussed the proposed changes to the permits and fees under 310 CMR 4.00: Timely Action Schedule and Fee Provisions. Public hearings for these revisions are expected to be in February, March, or April of 2014 with publication anticipated in June 2014. These revisions are necessary because of the regulations reforms to 310 CMR 16.00 (published

November 2012) and 310 CMR 19.000 (to be published February 14, 2014). The presentation is posted along with this summary [here](#).

*Q: If an individual or organization has a Recycling, Composting, or Conversion permit pending with the MassDEP when the fee revisions become effective, will they be charged a fee?*

*A: No, the revised fees will only be applied to individuals or organizations submitting a permit after the fees become effective.*

*Q: Does this change affect transfer stations that also process construction and demolition (C&D) materials?*

*A: Nothing will change for transfer stations that handle 50 tons per day or more of C&D materials.*

*Q: Will the definition of special waste change?*

*A: No, however under the proposed revisions, only asbestos waste, infectious waste (medical and biological waste), and sludges are regulated as special waste and they will be subject to a presumptive approval review process.*

### **Waste Ban Compliance and Enforcement Update – John Fischer, MassDEP**

John Fischer provided an update on MassDEP's Waste Ban Compliance and Enforcement Strategy. MassDEP's goal is to identify repeat violators of the waste ban and bring them in to compliance through a multi-pronged strategy. MassDEP will issue a press release soon to publicize the enforcement actions taken to date. The presentation can be viewed [HERE](#).

*Q: In terms of the 15 enforcement documents issued to hauling companies, does that mean 15 different hauling companies have received enforcement, or does that include multiple violations to the same company?*

*A: It is primarily different companies. There may have only been a few sent to the same company.*

*Q: What happens to businesses that receive a Notice of Noncompliance (NON)?*

*A: The NON requires a response within 30 days detailing a plan to remove banned material from the waste stream. Upon review of this response, MassDEP issues a return to compliance letter. If MassDEP observes another failed load from that generator, then the violation can be elevated to higher level enforcement with a penalty.*

*Q: What is required of solid waste facilities regarding the addition of commercial organic material to the waste bans?*

*A: All solid waste facilities will need to submit a revised waste ban plan.*

*Q: Who is the intended target for outreach?*

*A: Outreach will be focused on businesses and institutions that generate large amounts of banned material. This includes leveraging communication through trade associations, chambers of commerce, and various public and private organizations.*

## **General Permit and Recycling, Composting and Conversion Facility Permits – Update on Certifications – Tom Adamczyk, MassDEP**

Tom Adamczyk of MassDEP discussed the requirement for Recycling, Composting, and Conversion (RCC) operations subject to the new General Permit to submit annual certifications and reports under 310 CMR 16.04. This is now in effect for calendar year 2013 reports. To notify RCC operations of this requirement, an email and letter was sent to all entities that have filed a recycling or composting report with MassDEP, which is approximately 400 entities. This notice can be viewed [HERE](#).

The General Permit annual certification does not apply to recycling, composting, or anaerobic digestion facilities that are co-located on solid waste site-assigned land. These facilities will continue to submit the regular solid waste annual facility report form. For these facilities, there is a new section of the annual form, Section E, which will provide information on their recycling or composting operation.

*Q: How does this apply to solid facilities that aren't required to submit an annual solid waste facility report form but have a compost facility onsite, such as a small transfer station?*

*A: These facilities will only need to submit Sections A and E of the solid waste annual facility report form, which takes the place of the prior annual compost site report data collection.*

## **Solid Waste Data Update – John Fischer**

John Fischer presented an update on Massachusetts solid waste data from calendar year 2011.

The presentation can be viewed [HERE](#).

*Q: What is the status of the capacity of the 7 municipal waste combustors?*

*A: The municipal waste combustors generally run at or near permit capacity.*

*Q: Will the state release a request for proposals (RFP) for new anaerobic digestion facilities?*

*A: Yes, MassDEP is continuing to work with the Division of Capital Asset Management on an RFP. This is an addition to private projects under development.*

*Q: Will the new regulations or guidance allude to penalties to incentivize individuals and organizations to comply with the organics ban?*

*A: MassDEP is currently focused on conducting outreach and delivering compliance assistance. Because these programs will generally be cost effective, penalties are not a point of emphasis, though we will continue to communicate that repeated non-compliance will result in penalties.*

## **Next Meeting**

The next meeting of the Solid Waste Advisory Committee is scheduled for April 24, 2014 at MassDEP's Boston office.